

OFFICE OF THE COMMISSIONER

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The Commissioner of the Financial Institutions Bureau is appointed by the Governor with the advice and consent of the Senate and serves at the pleasure of the Governor under the provisions of the Michigan Banking Code of 1969, as amended. The Commissioner is assisted by a chief deputy commissioner and six directors (see organization chart on page 21).

The Office of the Commissioner is responsible for establishing the overall policy, direction and daily operations of the Bureau. These responsibilities include public information and media relations, strategic planning, performance measures, ethics, audits and vulnerability assessments, risk management, Freedom of Information Act requests, administrative hearings, and publications, including the Bureau's Web page.

FREEDOM OF INFORMATION

The Office of the Commissioner has the responsibility for responding to requests made to the Bureau for copies of public records under the Michigan Freedom of Information Act, 1976 Public Acts No. 422, as amended. During 1999, the Office of the Commissioner responded to 135 requests for copies of public documents.

ADMINISTRATIVE HEARINGS

The Office of the Commissioner provides hearing services for conducting the Bureau's administrative hearings and related matters pursuant to the Administrative Procedures Act, 1969 Public Act No. 306, as amended, and relevant regulatory statutes.

In 1999, the Bureau received 4 requests for hearings. Three of the requests involved the revocation of licenses to conduct business under the Mortgage Brokers, Lenders, and Servicers Licensing Act. Each of these matters was continued into 2000 while prehearing conferences were conducted in 2 of the cases.

The fourth request for a hearing involved the denial of an application under the Mortgage Brokers, Lenders, and Servicers Licensing Act and a registration under the Secondary Mortgage Loan Act. This matter was continued into 2000.

Also, the Bureau issued 28 Notices of Hearing under its own authority pursuant to the Mortgage Brokers, Lenders, and Servicers Licensing Act and the Secondary Mortgage Loan Act. Hearings in these cases were conducted in late 1999. Ten of the cases were resolved by Stipulation and Consent Order, and 4 cases were dismissed during the year. The remaining 14 cases were continued into 2000.

In addition, a case involving the denial of an application under the Mortgage Brokers, Lenders, and Servicers Licensing Act that had been continued from 1998 to 1999 was resolved during the year by Stipulation and Consent Order.

Finally, a case from 1995 involving a Cease and Desist Order issued pursuant to the Banking Code of 1969 was continued to 2000. A series of continuances were issued in this matter to allow the commissioner the opportunity to litigate certain related issues with the Comptroller of the Currency. The United States Court of Appeals Sixth Circuit decided the matter between the Commissioner and the Comptroller of the Currency during the year.

